

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7598  
Loveland, Colorado 80537-0598

ATTORNEY DOCKET NO. 10030416-1

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APR 17 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Eric M. Leproust

Serial No.: 10/698,195

Examiner: Jason M. SIMS

Filing Date: October 30, 2003

Group Art Unit: 1631

Title: METHODS FOR IDENTIFYING SUITABLE NUCLEIC ACID PROBE SEQUENCES FOR USE IN NUCLEIC  
ACID ARRAYS

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114**

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

**NOTE:** 37 CFR 1.114 is effective on May 20, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which Established RCE practice.

**Submission under 37 CFR 1.114**☒ Previously submitted:

- ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on December 5, 2006  
(Any unentered amendment(s) referred to above will be entered).
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ☐ Other:

☐ Enclosed:

- ☐ Amendment/Reply
- ☐ Affidavit(s)/Declarations(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other:

**Miscellaneous**

- ☐ Suspension of action is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months.  
The fee for this Suspension is (37 CFR 1.17(i)) \$130.00.
- ☐ Other:

04/18/2007 TL0111 00000034 501078 10698195

01 FC:1801 790.00 DA  
02 FC:1253 1020.00 DA

CONTINUED EXAMINATION TRANSMITTAL  
(RCE) (37 CFR 1.114) (continued)

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RCE filing fee \$790.00

☒ A Petition for Extension of Time

<input type="checkbox"/>	One month	\$120.00
<input type="checkbox"/>	Two months	\$450.00
<input checked="" type="checkbox"/>	Three months	\$1020.00
<input type="checkbox"/>	Four months	\$1690.00

Please charge to Deposit Account 50-1078 the sum of \$1810.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Date of Deposit:

OR

- ☒ I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents on the date shown below.

Date of Facsimile: April 17, 2007

Typed Name: Christa Carter

Signature: Christa Carter

Respectfully submitted,

Eric M. Leproust

By

Bret E. Field for John Brady  
Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: April 17, 2007

Telephone No. 408.553.3584